

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
226272003310

In re Application of: Edward M. ATKINSON et al.

Application No.: 10/016,767

Filed: October 30, 2001

For: METHODS FOR GENERATING HIGH TITER HELPER-FREE PREPARATIONS OF RELEASED
RECOMBINANT AAV VECTORS

The owner*, Targeted Genetics Corporation, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined
in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending
second Application Number 10/020,482, filed on October 30, 2001, of any patent on the
pending second application. The owner hereby agrees that any patent so granted on the instant application shall be
enforceable only for and during such period that it and any patent granted on the second application are commonly owned.
This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or
assigns.

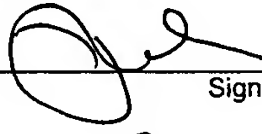
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant
application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent
granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any
such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of
competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled
by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as
shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.),
the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
information and belief are believed to be true; and further that these statements were made with the knowledge that willful
false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued
thereon.

2. ☐ The undersigned is an attorney or agent of record.


Signature
5/25/04
Date
Barrie J Carter
Typed or printed name
206-623-7612
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

06/17/2004 HMEKONE 00000092 031952 10016767

04 FC:1814 110.00 DA